

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF TRANSPORTATION

In the Matter of MnDOT Detroit Lakes
Regional Headquarters, Construction
Project Number 00TZ1791B

SCHEDULING ORDER

Following the submissions of the parties at a January 24, 2007 Pre-Hearing Conference, and thereafter;

IT IS HEREBY ORDERED:

1. By 4:30 p.m. on Monday, April 16, 2007, the parties will exchange statements identifying any person whom the party expects to call as an expert witness.
2. By 4:30 p.m. on Wednesday, May 16, 2007, the parties will exchange statements from any designated expert witnesses, including a summary of the facts and opinions as to which the expert is expected to testify.
3. The period for discovery shall close on Friday, June 15, 2007.
4. By 4:30 p.m. on Friday, June 29, 2007, the parties will file and serve any dispositive motions, and, designate whether the services of a court reporter will be requested to transcribe any evidentiary hearing in this matter.
5. By 4:30 p.m. on Friday, June 29, 2007, counsel for Respondent shall file and serve a statement designating the location of the hearing, in Moorhead, Minnesota, at which the hearing will take place on September 10th, 11th and 12th of 2007.
6. By 4:30 p.m. on Friday, August 17, 2007, each party will file and serve copies of the pre-labeled exhibits that it proposes to offer into the hearing record. The Department shall label its exhibits sequentially using numbers 1 through 700. Respondent Comstock Construction shall label its exhibits sequentially using numbers, 701 through 1400.

7. Unless this designation has been made by a party earlier, through responses to discovery, by 4:30 p.m. on Friday, August 17, 2007, each party will file and serve a list of the witnesses that it intends to call at the evidentiary hearing.
8. By 4:30 p.m. on Wednesday, August 22, 2007, the parties will file and serve a statement (under Minnesota Rule 1400.6950 (2)) detailing any objection to the foundation of a written exhibit.
9. A hearing in this matter will be held at the Minneapolis office of the Office of Administrative Hearings on Monday, August 27, 2007, beginning at 9:30 a.m., and will proceed on successive days, through the afternoon of Friday, August 31, at which time it will recess.
10. A hearing in this matter in this matter will resume on Monday, September 10, 2007, in Moorhead, Minnesota, and will proceed on successive days, through the afternoon of Wednesday, September 12.

Dated this 26th day of February, 2007.

s/Eric L. Lipman
ERIC L. LIPMAN
Administrative Law Judge